

THE UNIVERSITY LAWS (AMENDMENT) BILL, 2019

(As passed by the Assembly)

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further to amend the Kerala University Act, 1974, the Calicut University Act, 1975, the Mahatma Gandhi University Act, 1985, the Sree Sankaracharya University of Sanskrit Act, 1994, the Kannur University Act, 1996 and the National University of Advanced Legal Studies Act, 2005.

Preamble.—WHEREAS, it is expedient further to amend the Kerala University Act, 1974 (17 of 1974), the Calicut University Act, 1975 (5 of 1975), the Mahatma Gandhi University Act, 1985 (12 of 1985), the Sree Sankaracharya University of Sanskrit Act, 1994 (5 of 1994), the Kannur University Act, 1996 (22 of 1996) and the National University of Advanced Legal Studies Act, 2005 (27 of 2005) for the purposes hereinafter appearing;

BE it enacted in the Seventieth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the University Laws (Amendment) Act, 2019.

(2) It shall be deemed to have come into force on the 6th day of March, 2019.

2. *Amendment of Act 17 of 1974.*—In the Kerala University Act, 1974 (17 of 1974),—

(a) in section 12, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Registrar shall be a whole-time salaried officer of the University and shall be appointed by the Syndicate for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.

(1A) The person appointed as Registrar shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”;

(b) in section 13, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Controller of Examinations shall be a whole-time salaried officer of the University and shall be appointed by the Syndicate for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.

(1A) The person appointed as Controller of Examinations shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”;

(c) in section 14, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Finance Officer shall be a whole-time salaried officer of the University and shall be appointed by the Syndicate for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.

(1A) The person appointed as Finance Officer shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”.

3: *Amendment of Act 5 of 1975.*—In the Calicut University Act, 1975 (5 of 1975),—

(a) in section 12, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Registrar shall be a whole-time salaried officer of the University and shall be appointed by the Syndicate for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.

(1A) The person appointed as Registrar shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”;

(b) in section 13, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Controller of Examinations shall be a whole-time salaried officer of the University and shall be appointed by the Syndicate for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.

(1A) The person appointed as Controller of Examinations shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”;

(c) in section 14, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Finance Officer shall be a whole-time salaried officer of the University and shall be appointed by the Syndicate for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.

(1A) The person appointed as Finance Officer shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”.

4. *Amendment of Act 12 of 1985.*—In the Mahatma Gandhi University Act, 1985 (12 of 1985),—

(a) in section 12, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Syndicate shall appoint a person selected by the Government from among a panel containing the names of three persons furnished to the Government by a Selection Committee appointed by the Syndicate, consisting of three members headed by the Vice-Chancellor, as the Registrar of the University for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.

(1A) The person appointed as Registrar shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”;

(b) in section 13, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Syndicate shall appoint a person selected by the Government from among a panel containing the names of three persons furnished to the Government by a Selection Committee appointed by the Syndicate, consisting of three members headed by the Vice-Chancellor, as the Controller of Examinations of the University for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.

(1A) The person appointed as Controller of Examinations shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”;

(c) in section 14, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Syndicate shall appoint a person selected by the Government from among a panel containing the names of three persons furnished to the Government by a Selection Committee appointed by the Syndicate, consisting of three members headed by the Vice-Chancellor, as the Finance Officer of the University for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.

(1A) The person appointed as Finance Officer shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”.

5. *Amendment of Act 5 of 1994.*—In the Sree Sankaracharya University of Sanskrit Act, 1994 (5 of 1994),—

(a) in section 23, after item (iii), the following items shall be inserted, namely:—

“(iiia) the Controller of Examinations;

(iiib) the Finance Officer;”;

(b) in section 28, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Registrar shall be a whole-time salaried officer of the University and shall be appointed by the Syndicate for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.

(1A) The person appointed as Registrar shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”;

(c) after section 28, the following sections shall be inserted, namely:—

“28 A. *The Controller of Examinations.*—(1) The Controller of Examinations shall be a whole-time salaried officer of the University and shall be appointed by the Syndicate for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and in such manner as may be prescribed by the Statutes.

(2) The person appointed as Controller of Examinations shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).

(3) The qualifications for, and the salary and allowances payable to the Controller of Examinations shall be such as may be prescribed by the Statutes.

28 B. *The Finance Officer.*—(1) The Finance Officer shall be a whole-time salaried officer of the University and shall be appointed by the Syndicate for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and in such manner as may be prescribed by the Statutes.

(2) The person appointed as Finance Officer shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).

(3) The qualifications for, and the salary and allowances payable to the Finance Officer shall be such as may be prescribed by the Statutes.”.

6. *Amendment of Act 22 of 1996.*—In the Kannur University Act, 1996 (22 of 1996),—

(a) in section 14, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Registrar shall be a whole-time salaried officer of the University and shall be appointed by the Syndicate for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.

(1A) The person appointed as Registrar shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”;

(b) in section 15, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Controller of Examinations shall be a whole-time salaried officer of the University and shall be appointed by the Syndicate for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.

(1A) The person appointed as Controller of Examinations shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”;

(c) in section 16, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Finance Officer shall be a whole-time salaried officer of the University and shall be appointed by the Syndicate for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the Statutes.

(1A) The person appointed as Finance Officer shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”.

7. *Amendment of Act 27 of 2005.*—In the National University of Advanced Legal Studies Act, 2005 (27 of 2005),—

(a) in section 28, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Registrar shall be a whole-time salaried officer of the University and shall be appointed by the Executive Council for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the regulations.

(1A) The person appointed as Registrar shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”;

(b) in section 29, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Finance Officer shall be a whole-time salaried officer of the University and shall be appointed by the Executive Council for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the regulations.

(1A) The person appointed as Finance Officer shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”;

(c) in section 30, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Controller of Examinations shall be a whole-time salaried officer of the University and shall be appointed by the Executive Council for a period of four years from the date on which he enters upon his office or till he completes the age of fifty-six years, whichever is earlier and on such terms and conditions as may be prescribed by the regulations.

(1A) The person appointed as Controller of Examinations shall be eligible for re-appointment for one more period subject to the provisions in sub-section (1).”.

8. *Special provision regarding the existing Registrars, Controllers of Examinations and Finance Officers.*—Notwithstanding anything contained in the Kerala University Act, 1974 (17 of 1974), the Calicut University Act, 1975 (5 of 1975), the Mahatma Gandhi University Act, 1985 (12 of 1985), the Sree Sankaracharya University of Sanskrit Act, 1994 (5 of 1994), the Kannur University Act, 1996 (22 of 1996), and the National University of Advanced Legal Studies Act, 2005 (27 of 2005) and the Statutes, Ordinances, Regulations, Orders or Rules made thereunder on and from the date of commencement of this Act, the existing Registrars or Controllers of Examinations or Finance Officers, as the case may be, of the Universities constituted as per the above said Acts shall be deemed to have vacated their offices where they have completed a period of four years in their offices or have completed the age of fifty-six years, whichever is earlier. In the case of the Registrars or Controllers of Examinations or Finance Officers who have not completed a period of four years in office or fifty-six years of age shall continue to hold office up to a period of four years or fifty-six years of age whichever is earlier. In the case of the Registrars or Controllers of Examinations or Finance Officers appointed from other departments and who have completed a period of four years in their offices or have completed the age of fifty-six years and have vacated their offices by virtue of the provisions of this Act, the law relating to the service conditions applicable to their parent departments shall be made applicable.

9. *Repeal and saving.*—(1) The University Laws (Amendment) Ordinance, 2019 (34 of 2019) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the Kerala University Act, 1974 (17 of 1974), the Calicut University Act, 1975 (5 of 1975), the Mahatma Gandhi University Act, 1985 (12 of 1985), the Sree Sankaracharya University of Sanskrit Act, 1994 (5 of 1994), the Kannur University Act, 1996 (22 of 1996) and the National University of Advanced Legal Studies Act, 2005 (27 of 2005) as amended by the said Ordinance shall be deemed to have been done or taken under the Kerala University Act, 1974 (17 of 1974), the Calicut University Act, 1975 (5 of 1975), the Mahatma Gandhi University Act, 1985 (12 of 1985), the Sree Sankaracharya University of Sanskrit Act, 1994 (5 of 1994), the Kannur University Act, 1996 (22 of 1996) and the National University of Advanced Legal Studies Act, 2005 (27 of 2005) respectively as amended by this Act.